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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 09-00643 SBA
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING SENTENCING
v.	)	
	)	
ERIK HARDING,	)	
	)	
Defendant.	)	
	)	

Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to order as follows:

1. Sentencing for defendant Erik Harding in this matter is currently scheduled for 10 a.m. on Tuesday, May 4, 2010.

2. The parties request that this hearing be continued until 10 a.m. on Tuesday, May 18, 2010, in order to provide counsel for the government and defendant to evaluate whether defendant is safety-valve eligible and to submit sentencing memoranda which address that issue.

STIPULATION AND ORDER RESCHEDULING  
HEARING; EXCLUDING TIME

3. United States Probation Officer Christina Carruba does not object to the requested continuance.

IT IS SO STIPULATED.

JOSEPH P. RUSSONIELLO  
United States Attorney

Dated: April 26, 2010

/s/  
GARTH HIRE  
Assistant United States Attorney  
Attorney for United States of America

Dated: April 26, 2010

/s/  
MARTHA BOERSCH, ESQ.  
Attorney for Defendant  
Erik Harding

**ORDER**

FOR GOOD CAUSE SHOWN, IT IS ORDERED THAT:

The currently scheduled May 4, 2010, sentencing hearing is vacated as to defendant Erik Harding. A sentencing hearing for defendant Erik Harding is now scheduled for 10:00 a.m. on May 18, 2010.

DATED: 4/27/10

*Saundra B. Armstrong*  
HONORABLE SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE